

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

| | | |
|-------------------------|---|----------------------------|
| George Holmes, #289114, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Civil Action No. 2:11-1129 |
| v. |) | |
| |) | |
| Michelle D. Fox, Mental |) | <u>ORDER</u> |
| Health Counselor, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the Court upon the Plaintiff's pro se complaint, which was filed pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.

On July 5, 2011, United States Magistrate Judge Bruce Howe Hendricks issued a report and recommendation ("R&R") analyzing the matter and recommending that the Court dismiss the Plaintiff's complaint without prejudice and without issuance and service of process based on the Plaintiff's failure to state an actionable claim. Attached to the R&R was a notice advising the Plaintiff of the right to file specific, written objections to the R&R within 14 days of the date of service of the R&R.

On July 28, 2011, and on August 8, 2011, the Court received change of address notices from the Plaintiff. Accordingly, the Court re-mailed the R&R to the Plaintiff's updated address. The Court also reset the deadline for filing objections, and, adding three days for mail time, the Plaintiff's objections were due on or before August 25, 2011. To date, however, no objections have been filed.

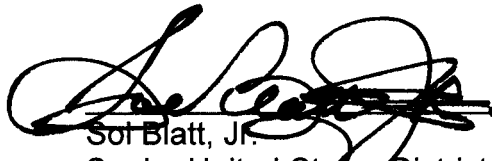
Absent timely objection from a dissatisfied party, a district court is not required to


review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, there are no portions of the R&R to which the Court must conduct a de novo review. Accordingly, after review, the Court hereby adopts the Magistrate Judge's R&R (Entry 11), and it is

ORDERED that the Plaintiff's complaint is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

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Sol Blatt, Jr.
Senior United States District Judge


September 6, 2011
Charleston, South Carolina